

Exhibit 28

Message

From: Brendon Kraham [brendon@google.com]
Sent: 12/15/2021 4:30:15 PM
To: Matthew DelRe [mcderre@google.com]
CC: Jason Spero [jspero@google.com]
Subject: Re: [FYI] Search Data Approval: Sharing SQM data feed with Ads client

Like Pallavi's response, but it's also clear there might be a need to re-review / re-evaluate.

Note this might be good to flag to Ryan V as well. Not that you need him involved, but possibly good for him to be aware.

On Tue, Dec 14, 2021 at 6:46 PM Matthew DelRe <mcderre@google.com> wrote:

Fyi only. I'll pull you in as needed, I think we'll need to have some alignment discussions across Ads and Search in the new year on query data. Imo it will actually be helpful to get to clear resolution, but we'll need to Shepard carefully.

----- Forwarded message -----

From: **Danielle Romain** <dromain@google.com>
Date: Tue, Dec 14, 2021, 8:21 PM
Subject: Re: [FYI] Search Data Approval: Sharing SQM data feed with Ads client
To: Pallavi Naresh <plv@google.com>
Cc: Elizabeth Trumbull <trumbull@google.com>, Xiaowei Zhang <xwzhang@google.com>, Matthew DelRe <mcderre@google.com>, Brian Tschoepe <btschoepe@google.com>

Pallavi, happy to discuss but my view is we have data sharing policies and existing data sharing arrangements that need to be reviewed in light of the current environment and the positions we've taken wrt to data privacy and sharing. I'll add that since much of this information is based on Search queries, Search needs to be viewed as a peer decision maker to Ads and Sales. Thanks.

On Tue, Dec 14, 2021 at 7:12 PM Pallavi Naresh <plv@google.com> wrote:

Thanks Danielle. We will let the DANZ team know.

I want to make sure it is transparent to you that DANZ is one of many feeds that get shared with customers and continue to get shared (dozens of new feeds have been created and shared since your team flagged DANZ). We can't shut down data sharing by sellers based on this flag. We can discuss with you proposals for changing data-sharing which if Ads and Sales leads agree to it, work through a rollout process of updated data sharing on an agreed timeline.

On Tue, Dec 14, 2021 at 5:06 PM Danielle Romain <dromain@google.com> wrote:

Hi Pallavi, thanks for following up. If you're looking for additional context and guidance behind the recommendations that I shared, I don't think that we need to include Liz; I can represent. (Liz and other VPs should absolutely be included for a potential ACM discussion).

Specific to your comment on holding up the DANZ deal: in my December 9 reply, I acknowledged that given that this data has already been shared with the partner, we're limited in our options. By implication, I'm fine proceeding in this case.

On Tue, Dec 14, 2021 at 6:48 PM Pallavi Naresh <plv@google.com> wrote:

- many

I see there are quite a number of VPs on the list and perhaps not all need to be included! Elizabeth and Danielle -- can you advise who should be included in the follow up discussion?

----- Forwarded message -----

From: Pallavi Naresh <plv@google.com>

Date: Tue, Dec 14, 2021 at 4:09 PM

Subject: Re: [FYI] Search Data Approval: Sharing SQM data feed with Ads client

To: Vidhya Srinivasan <vids@google.com>, Xiaowei Zhang <xwzhang@google.com>, Matthew DelRe <mcdele@google.com>, Brian Tschoepe <btschoepe@google.com>

Cc: Danielle Romain <dromain@google.com>, Ian Loughran <iloughran@google.com>, Jana Reuter <janareuter@google.com>, Cathy Edwards <cathyedwards@google.com>, Darshan Kantak <dkantak@google.com>, David Gasca <gasca@google.com>, David Price <dwp@google.com>, Elizabeth Reid <chamon@google.com>, Elizabeth Trumbull <trumbull@google.com>, Igor Perisic <iperisic@google.com>, Jeremy Malasky <jmalasky@google.com>, Pandu Nayak <nayak@google.com>, Paul Haahr <haahr@google.com>, Philipp Justus <pjustus@google.com>, Search Trust Data Request <search-trust-data-request@google.com>, Shiv Venkataraman <shivav@google.com>, Torsten Weindl <torstenweindl@google.com>, Walt Drummond <wd@google.com>, Yuan Sun <suny@google.com>

+Xiaowei Zhang ADI eng lead, +Matthew DelRe +Brian Tschoepe GPLs for ADI

Hi Danielle and team,

Thanks for reaching out. From my read of the thread, it sounds like there are two issues at hand:

- (1) the specific sales feed linked in the [bug](#)
- (2) the broader issue of whether ADI data (formerly known as SQM) should be shared by sales to customers at all for purposes other than direct advertising sales

On (1), I propose we allow this feed to proceed while we align on a long term plan. Per the analytic consultant on the project, this specific feed was shared to the client for ~3 years under [go/datashtaring](#) and due to a new process launched this summer, the team reconfigured the feed and re-submitted for approval, which is where this thread started. Right now, the client cannot access this data. This feed is one of hundreds of similar feeds shared by sales to customers. Holding one such example in limbo hampers a single client relationship unnecessarily while we consider updating our policies across the board. If we agree to update our policies, we will need a careful migration plan to deal with legacy feeds. **Does this approach sound reasonable?**

On (2), the seller role is focused on building strong business partnerships and often includes sharing and curating Google insights to help customers be successful across their business and marketing. When ads customers are able to create meaningful businesses, those businesses can then reach and serve customers via ads and increased ads budgets. If we revoke sales access to ADI data in its entirety, it could significantly hamper the effectiveness of our sales teams.

We're happy to discuss the proposals you would like to put in place on the use of ADI data by sales. These proposals will need to go to an ACM forum ([go/acm](#), a forum I know many of you are familiar with). This is because changes to existing data sharing rules may, depending on the specifics, result in dramatic changes to how our sales teams partner with customers. Google Ads senior leadership across sales and product should determine whether Google should take on the associated revenue risk.

In addition, it would also be helpful to learn more about your plans for a public Trends API to give our sales team a heads up that this is coming. I don't think this will preclude the need for ADI data as ADI is significantly different from Trends data, but certainly allows us to democratize Search data access to all customers.

I will grab time with this group to follow-up.

Thanks,
Pallavi

On Fri, Dec 10, 2021 at 8:53 AM Vidhya Srinivasan <vids@google.com> wrote:
+ plv@ and suny@ to help review this for SQM.

thanks,

~ Vidhya

On Thu, Dec 9, 2021 at 2:08 PM Danielle Romain <dromain@google.com> wrote:
+ Ian

On Thu, Dec 9, 2021 at 2:00 PM Danielle Romain <dromain@google.com> wrote:
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dwp, please advise.

+ Vidhya, who's team manages SQM
+ Ian

@Jana Reuter thank you for the additional context. Since DANZ already has the data, we're unfortunately limited in what we can do here. However, in light of the current environment with regard to data privacy and sharing practices, as well as the statements that we make publicly, I think it's important that we take a fresh look at the data sharing policies including those behind systems like SQM.

@Vidhya Srinivasan: is there someone on your team who we can engage in those conversations about revising our data sharing practices that @Elizabeth Trumbull referred to at the beginning of this thread?

Thanks.

On Thu, Dec 9, 2021 at 8:35 AM Jana Reuter <janareuter@google.com> wrote:
Hi everyone,

to add a little bit more context to our request and answer your questions:

"[...] has the data been shared with the client yet or not?"

Yes - the feed has been in place and shared with the client for several years, therefore deprecating it would be a major disruption for our client DAZN, affecting the relationship with one of DE LCS' key clients. The feed has always been compliant with our data sharing guidelines and we have followed all established processes to share this data with our client. The reason we initiated a privacy review is the new data sharing process outlined at [go/gbo-datassharing](#) (which covers sharing data from the datasource

ADI via BigQuery). Since this feed is already in place, waiting until the release of a potential Trends dataset in H1 2022 is not an option for us.

"[...] sharing Search or jointly-owned Search/Ads data with 3Ps for non-advertising use cases"

I wanted to add a bit more context to how our client DAZN is using the data. DAZN's initial ask for the data purely originated from a marketing/advertising context. For example, DAZN used the data in an MMM (marketing mix model) to analyse the effect of different marketing channels on their subscription business. While purely focused on steering marketing decisions, MMMs also incorporate non-advertising data as additional variables - that's where the indexed search data was used by DAZN.

Other use cases include:

- Comparing advertising traffic fluctuations to non-advertising search demand and adjusting their strategy based on this (e.g. there is a high search demand for boxing in Germany and DAZN has exclusive rights → DAZN aims for a high ad click and ad impression share)
- Making budget decisions based on search demand (e.g. if the search demand for Champions League is higher in Spain than in Italy → Italy receives a higher budget)

DAZN does not make business decisions solely based on our data. They always look at dozens of data points.

However, we are more than happy to reach out to DAZN and ask for their commitment to only use the data in advertising-related contexts.

"[...] VP approval [...]"

As Elizabeth has already mentioned, we have the approval and support from our VP Philipp Justus (cc'd on this thread).

I also wanted to copy in yesterday's response from Pallavi Naresh in the original bug ticket, whose team governs the Ads data:

*"[...] as we aligned earlier this year, this is one sales tool of hundreds of sales tools that are shared using "ADI" (Ads Demand Insights) data. We have aligned with the Search team that this is and **has always been considered Ads data and not Search data**. If you wish to reopen this decision, blocking the release of 1 sales tool for months is not an appropriate course of action since **this tool is compliant with Ads data sharing policies**. The appropriate path is to sign up for an Ads ACM (go/acm). We should close this bug and allow this sales tool to proceed and you should pursue an ACM if you would like to make a proposal to change Ads data sharing policies."*

Thanks,
Jana

On Thu, Dec 9, 2021 at 5:01 AM Danielle Romain <dromain@google.com> wrote:

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dwp, please advise.

+ few of our Ads colleagues for visibility

Elizabeth, thank you for the context. @Jana Reuter, has the data been shared with the client yet or not?

First, I'd like to acknowledge that we're providing feedback quite late in the process and do not intend to create churn with clients. I also recognize the intent to share the data under NDA. However, a few comments:

- In the spirit of Search's Honest Results Policy, I'd propose a principle whereby third-parties, including those with whom Google has a commercial relationship, will need to access raw Search data (even if jointly owned with Ads) through publicly available tools, unless an exception is approved by a Search or Ads Product/Engineering VP.
- I'm supportive of sharing aggregated data and insights based on sources like SQM consistent with current data sharing policies. Similarly, I'm supportive of using jointly owned Search/Ads data (again consistent with our policies) to inform advertising use cases.
- I'm not supportive, however, of sharing Search or jointly-owned Search/Ads data with 3Ps for non-advertising use cases, even under NDA without the approval of Search or Ads Product/Engineering VP.

As we know, we're in an environment where our stewardship and protection of data (especially user data) is under more scrutiny than ever. I believe that we also recognize the risk to potential trust if Search data (recognizing again that this data set is co-owned with Ads) is shared with 3Ps with whom we have commercial relationships – even under NDA. Our practices matter and I'd like us to apply a high bar when we consider sharing data directly with 3Ps, in a way that isn't publicly accessible.

Unless there is a good reason why the client cannot wait until H1 2022 when Trends capability has been expanded or cannot secure proxy information reasonably for 3P sources, my preference would be to decline to share the data in this case.

Welcome feedback from others.

Thanks,

DR

On Wed, Dec 8, 2021 at 6:20 PM Elizabeth Trumbull <trumbull@google.com> wrote:

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dwp, please advise.

Danielle,

Responses in line.

May I ask who on the Ads team is preparing to share this information with GBO/the client (latter under NDA)?

Jana Reuter, cc-ed, is the LCS Analytical Consultant who would share the data with the client under NDA.

Separately, it appears that we may have similar sharing arrangements in place. To the extent that these have been approved in the past, do we have the rationales documented? I'd like to understand our reasoning.

Any similar prior data sharing arrangements have not come to the Search team for review in the last few years. This request happened to be incidentally flagged for our review by PWG because we published the Search User Data guidelines ([go/search-user-data-guidelines](#)) this past spring. Search's

current guidelines do allow this kind of data sharing for historical reasons, but we are considering re-evaluating that stance.

As mentioned, the Ads team considers this to be Ads data governed by Ads/GBO data sharing policies ([go/datassharing](#)), which would allow this data sharing request. Technically this SQM-based data feed is derived from Ads server logs, but the same requests are sent to Ads servers and Search servers simultaneously, so it could be considered joint Ads/Search data.

Given the potential for broader disruption and confusion if we denied this request, the Search Trust Data Request team decided to approve it with an eye towards re-examining the data sharing guidelines once we've had a chance to consider all the implications and help Ads teams find suitable alternatives as necessary.

Thank you,

Elizabeth

On Wed, Dec 8, 2021 at 5:47 PM Danielle Romain <dromain@google.com> wrote:

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dwp, please advise.

Elizabeth, thank you for flagging. May I ask who on the Ads team is preparing to share this information with GBO/the client (latter under NDA)?

Separately, it appears that we may have similar sharing arrangements in place. To the extent that these have been approved in the past, do we have the rationales documented? I'd like to understand our reasoning.

Thanks,

DR

On Wed, Dec 8, 2021 at 3:28 PM Elizabeth Trumbull <trumbull@google.com> wrote:

Attorney Client Privileged - dwp@, please advise.

Pandu, Liz, Cathy, Danielle, Walt,

We believe there's a disconnect between how indexed Search query data is currently being used by GBO/Ads and Search's understanding of what's being shared externally. The Search Trust Data Request team is re-evaluating Search data sharing policies for Ads usage, particularly for joint Ads/Search data, but we aren't ready to propose new guidelines at this time. In the meantime, the Ads team is planning to share a data feed with their client under NDA. To unblock the team while we reconsider Search data sharing guidelines, we asked for and received VP-level sponsorship from the Ads (pjustus@) and decided to approve the effort.

Data Requested: The data feed from SQM contains indexed search volumes for sport competitions (c.g. Champions League), sport teams (c.g. Bayern Munich football team) and individual athletes. As a streaming service for sporting events, DAZN will use the data to analyze the search demand for different sporting events in different countries.

Why we're flagging this request: This kind of sales analysis is a common use case for Ads, but the Search Trust Data Request team is uncomfortable with the idea of using Search data on an ongoing basis to inform external business decisions far beyond advertising—particularly given the recent concerns about how Search data is shared externally and potential misconceptions about selling access to Search data.

Guidelines: Per our current guidelines ([go/search-user-data-guidelines](#)), these kind of SQM/Wildcat data feeds are effectively legacyed, but the team believes that now is the time to re-evaluate these policies given the efforts to make more Search Trends data available externally. That said, any changes to these policies would require extensive discussions between Search and Ads leadership as the Ads team has historically considered this data to be Ads data governed by Ads data sharing policies ([go/dashsharing](#)).

Alternatives Considered: While there is an effort underway to create a public Trends dataset that could serve as an alternative for these kinds of data sharing requests, its targeted launch date is in H1 2022. And we'd like to unblock the Ads team in the meantime.

Please let us know if you have any questions or concerns before this effort proceeds on Monday, December 13th.

Thank you,

Elizabeth
(on behalf of the Search Trust Data Request team)

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